

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:16CV232**

DENNIS WAYNE ESTES,)
v. Plaintiff,)
NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
Defendant.)

ORDER

This matter is before the Court on Plaintiff's Motion for Attorney's Fee Pursuant to 28 U.S.C. § 2412(d) (# 17). Plaintiff's motion must be denied because his counsel failed to demonstrate that he conferred with opposing counsel. See LCvR 7.1(b) ("Civil motions must show that counsel have conferred and attempted in good faith to resolve areas of disagreement, or describe the timely attempts of the movant to confer with opposing counsel."). Consequently, Plaintiff's Motion for Attorney's Fee Pursuant to 28 U.S.C. § 2412(d) (# 17) is DENIED without prejudice to renew. See id. ("A motion that fails to show that the parties have properly conferred or attempted to confer may be summarily denied.").

Signed: June 8, 2018

Dennis L. Howell